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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO
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10/657,194

09/09/2003

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EXAMINER

TRAN, VINCENT HUY

ART UNIT

PAPER NUMBER

2115

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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3 MONTHS

04/02/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/657,194	KIMURA, MASATOSHI	
	<b>Examiner</b>	<b>Art Unit</b>	
	Vincent T. Tran	2115	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 24 January 2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### DETAILED ACTION

1. This Office Action is responsive to the communication filed on 1/24/2007
2. Claims 1-20 are pending for examination.
3. The text of those sections of Title 35, U.S. code not included in this action can be found in a prior Office action.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-18 are rejected under 35 U.S.C. 102(a) as being anticipated by Sekiguchi US Pub. No. 20020156899.

6. As per claim 3, Sekiguchi discloses a gateway card [102 fig. 2] connected to an information processor [208 fig. 2] and that receives and transmits data between different networks [109, 114, 216, 104 fig. 2], the gateway card comprising:

an access accepting unit [213 fig. 2] that accepts an access request from an apparatus connected to the networks; and

an access control unit [225 fig. 2] that leads the apparatus to make access to the information processor in a state that the operation mode is returned from the power-saving operation mode to the normal operation mode, when the access request corresponds to the access

to the information processor [paragraph 0009, 0010, 0048-0050, 0067]<sup>1</sup>, and shifts the operation mode from the normal operation mode to the power-saving operation mode after the access ends [paragraph 0070].

7. As per claim 4, Sekiguchi discloses a gate way control method to be applied to a gateway card connected to an information processor and that receives and transmits data between different networks, the gateway control method comprising:

an access request receiving step of receiving an access request from an apparatus [116, 115 fig. 1] connected to the networks; and

an access control step of leading the apparatus to make access to an external apparatus in a state that the operation of the information processor is maintained in a power-saving operation mode, when the access request is accepted in a state that the operation of the information processor is in a power-saving operation mode<sup>2</sup> and also when the access request corresponds to the access to the external apparatus [paragraph 0043, 0045]<sup>3</sup>.

8. As per claim 1 and 2, see discussion in claim 4 and 3.

9. As per claim 5 and 6, see discussion in claim 3.

10. As per claim 7 and 8, see discussion in claim 4 and 3.

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<sup>1</sup> The second system [describe in paragraph 0035] is turn on only when it received access request from an external device [116 or 115 of fig. 1].

<sup>2</sup> The power for the first system [describe in paragraph 0027] is always on because of the continuous connection with the outside infrastructures to receive access request, however, the power at the second system is always off when is not in use.

<sup>3</sup> The second system comprising the information processor maintains in power saving mode when the access service is to obtain e-mail data from the mail server.

11. As per claim 9, see discussion in claim 3.

12. As per claim 10, it is noted that the limitation do not substantially differ from claim 4, with the exception of the limitation reciting “the information processor further includes a power control unit...” As demonstrated previously, Sekiguchi anticipated the limitation in claim 1. The limitation regarding the information processor further includes a power control unit that shifts the operation mode from a normal operation mode to power saving operation mode, when a predetermined shift factor occurred is also anticipated by Sekiguchi as show in fig. 2 as Power Controller Unit 237.

13. As per claim 11, Sekiguchi teaches when the user has finished using the application at the second system, the second system can be turned off independently from the first system, to save energy, and only the second system can be left without power. Therefore, Sekiguchi inherently teaches the claimed limitation of 11.

14. As per claim 12, see discussion in claim 11.

15. As per claim 13, see discussion in claim 10.

16. As per claim 14, see discussion in claim 11.

17. As per claim 15, see discussion in claim 12.

18. As per claim 16, see discussion in claim 10.

19. As per claim 17, see discussion in claim 11.

20. As per claim 18, see discussion in claim 12.

21. As per claim 19, Sekiguchi discloses a gateway card [102 fig. 2] that interconnects an information processor [208 fig. 2], and at least one server via a first network [118, 114 fig. 1], and at least one client via a second network [116, 115 fig. 1], the first network and the second network having different communication protocols [PIAFS, PHS, Ethernet fig. 2], the information processor having a normal power mode and a power save mode [paragraph 0009-0010], the gateway card comprising:

an access accepting unit [231 fig. 2] that accepts a request from the client to access the server or the information processor;

a power mode checking unit that determines whether the information processor is in the normal power mode or in the power save mode [225 fig. 2, paragraph 0059]; and

an access control unit [219 fig. 2] that executes the request from the client wherein if the request from the client is a request to access the server, the access control unit executes the request even if the power mode checking unit determines that the information processor is in the power save mode [*The power for the first system [describe in paragraph [0027]] is always on because of the continuous connection with the outside infrastructures to receive access request, even when the power at the second system is in saving power mode*].

22. As per claim 20, Sekiguchi discloses a gateway card that interconnects an information processor, and at least one server via a first network,, and at least one client via a second network , the first network and the second network having different communication protocols, the

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information processor having a normal power mode and a power save mode, the gateway card comprising:

an access accepting unit that accepts a request from the client to access the server or the information processor;

a power mode checking unit that determines whether the information processor is in the normal power mode or in the power save mode [see claim 19]; and

an access control unit that executes the request from the client wherein if the request from the client is a request to access the information processor and, if the power mode checking unit determined that the information processor is in the power save mode, the access control unit instructs the information processor to change the power mode to the normal power mode [paragraph 0067], executes the request, and instructs the information processor to change the power mode to the power save mode [paragraph 0070].

23. Claim 1 is rejected under 35 U.S.C. 102(e) as being anticipated by Janik US 20020068558.

24. As per claim 1, Janik discloses a gateway card [38 fig. 17] connected to an information processor [34 fig. 23] and that receives and transmits data between different networks [between 8 and 78a fig. 1], the gateway card comprising:

an access accepting unit [42 fig. 1] that accepts an access request form an apparatus connected to the networks [14 fig. 17]; and

an access control unit [280 fig. 17] that leads the apparatus to make access to an external apparatus [78a fig. 1] in a state that the operation of the information processor is maintained in a

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power saving operation mode, when the access request is accepted in a state that the operation of the information processor is in a power saving operation mode and also when the access request corresponds to the access to the external apparatus [paragraph 0173, 0181, 0184, 0191].

### ***Conclusion***

25. Applicant's arguments with respect to claim 1-20 have been considered but are moot in view of the new ground(s) of rejection.

#### **Examiner's note:**

Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

#### **Prior Art not relied upon:**

Please refer to the references listed in attached PTO-892, which, are not relied upon for claim rejection since these references are relevant to the claimed invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vincent T. Tran whose telephone number is (571) 272-7210. The examiner can normally be reached on 7:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas c. Lee can be reached on (571)272-3667. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Vincent Tran



**CHUN CAO**  
**PRIMARY EXAMINER**